

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER

☐

DATE

January 28, 2015

MOTOR CARRIER MATTER

☐

DOCKET NO.

2014-390-E

UTILITIES MATTER

☒

ORDER NO.

2015-87**THIS DIRECTIVE SHALL SERVE AS THE COMMISSION'S ORDER ON THIS ISSUE.****SUBJECT:**

DOCKET NO. 2014-390-E - Mamie Jackson, Complainant/Petitioner v. South Carolina Electric & Gas Company, Defendant/Respondent - Discuss with the Commission Motions Filed by Mamie Jackson.

COMMISSION ACTION:

On September 26, 2014, Mamie Jackson submitted a Complaint against SCE&G, alleging that SCE&G wrongly transferred a past due bill from an old account to a new account, changed account numbers, and applied a deposit to a bill instead of returning it in cash. On October 30, 2014, SCE&G filed its Answer and Motion to Dismiss, stating primarily that Ms. Jackson failed to establish a justiciable controversy and also failed to state facts sufficient to constitute a basis for relief. Although a scrivener's error in Ms. Jackson's address caused legal notice of SCE&G's Motion to be deficient, Ms. Jackson's actual notice of it was apparent in her filing of December 4, 2014. In that document, Ms. Jackson admitted receiving a copy of her file, which included the Answer and Motion to Dismiss, after visiting the Commission's office. Legal notice of SCE&G's Motion was perfected on December 12, 2014, allowing her time to respond by December 29, 2014, as specified by Regulation 103-829(A). Since Ms. Jackson is a *pro se* complainant, the Commission took care to remind her of this deadline by Directive on the same day notice was perfected.

After the deadline to reply to SCE&G's Motion had passed without her response, this Commission gave the appropriate and required notice that the matter was coming up for discussion at our regularly scheduled meeting on January 7, 2015, at which time we denied an extension of time and dismissed her Complaint. Order No. 2015-26, issued on January 14, 2015, memorializes this decision.

Subsequently, on January 15, 2015, Ms. Jackson filed a Motion to Reverse Actions, which among other things now alleges that she was not given an opportunity to be heard. This document was filed in response to the Commission directive dismissing the case. I note that it is a well-accepted principle of law that non-justiciable matters may be decided on the pleadings without oral argument. Furthermore, holding oral argument in this circumstance is discretionary under Regulation 103-829(B). Therefore, this latest allegation is without merit.

Nevertheless, I reiterate that Ms. Jackson's Complaint failed to state a cause of action for which the Commission is empowered to grant relief. She made no allegation under Statute 58-27-1940, claiming SCE&G has either committed or omitted doing anything that is a cognizable violation of its duties under Statute 58-27-40.

Similarly, Ms. Jackson's Motion to Reverse Actions fails to present any material fact or principle of law that the Commission either overlooked or disregarded in the dismissal of her Complaint, and hence, there is no basis for granting reversal or reconsideration in this Docket. Accordingly, I move that the Motion to Reverse Actions should be denied.

Last Madam Chair, I observe that a further filing from Ms. Jackson, titled Motion to Reverse, was made on January 21, 2015 in response to Order No. 2015-26. This last filing essentially rephrases her Motion to Reverse Actions, and I also move that it be denied, because it states no new matter. This complaint and this docket have now been adjudicated to completion.

PRESIDING: Hall

SESSION: Regular

TIME: 2:00 p.m.

	MOTION	YES	NO	OTHER	
ELAM	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
FLEMING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Absent</u>	FSL
HALL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
RANDALL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
WHITFIELD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

(SEAL)

RECORDED BY: J. Schmieding

